UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

KITRICH A. POWELL,

Case No. 2:06-cv-01264-KJD-DJA

Petitioner,

v.

WILLIAM GITTERE, et al.,

Respondents.

ORDER

In this capital habeas corpus action, the respondents filed a motion to dismiss (ECF No. 235) on September 14, 2022. On June 29, 2023, Petitioner Kitrich A. Powell, who is represented by appointed counsel, filed an opposition to the motion to dismiss (ECF No. 245), along with a motion for leave to conduct discovery (ECF No. 248) and a motion for an evidentiary hearing (ECF No. 247). After a 30-day initial period (see ECF No. 100), and then a 45-day extension of time (ECF No. 253), Respondents had until September 14, 2023, to file a reply to Powell's opposition to the motion to dismiss and responses to Powell's two motions.

On September 14, 2023, Respondents filed a motion for extension of time (ECF No. 254), requesting a further 29-day extension, to October 13, 2023. Respondents' counsel states that this extension of time is necessary because of her obligations in other cases and responsibilities at the Office of the Nevada Attorney General. Respondents' counsel represents that Powell does not oppose the motion for extension of time. The Court finds that Respondents' motion for extension of time is made in good faith and not solely for the purpose of delay, and that there is good cause for the extension of time requested.

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IT IS THEREFORE ORDERED that Respondents' Motion for Enlargement of Time (ECF No. 254) is **GRANTED**. Respondents will have until and including **October 13, 2023**, to file their reply to Petitioner's opposition to the motion to dismiss and responses to Petitioner's motion for leave to conduct discovery and motion for an evidentiary hearing. In all other respects, the schedule for further proceedings set forth in the order entered August 24, 2020 (ECF No. 100) will remain in effect.

DATED THIS 15 day of September , 2023.

KENT J. DAWSON 'UNITED STATES DISTRICT JUDGE